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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,725	12/01/2000	Roland L. Fernandez	MFCP.76396	5313

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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 12/30/2003 *8*

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,725

Applicant(s)

FERNANDEZ ET AL.

Examiner

Namitha Pillai

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 9-17, 20-23, 26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-17, 20-23, 26 and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 11-17, 20-23, 26 and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Mione.

Referring to claim 11, Mione discloses a method for rendering any components of a web page on the display of a computer, the computer having the means to render a graphical component upon receiving the request for the display of the components belonging to a website (page 1, column 1, lines 26-30). Mione clearly discloses that this rendering is done for websites, which would clearly be hosted by an application, in order for the user to access these websites and display them on the screen. In order for the user to have access to the web page, the user must instantiate the application that hosts this web page in order to access the web page itself. These are common in processes accessing web sites and are inherent in Mione's disclosure. Mione discloses that the users will be accessing websites and hence the process of a web application being instantiated to access these websites is inherent in Mione's invention (page 1, column 1, lines 1-3). Mione discloses rendering these components for a web page, wherein the rendering will occur when the web page has been requested and the components must be rendered for displaying (page 1, column 1, lines 1-2 and 30-33). Mione discloses determining whether a defined theme tag is present in the web page (page 2, column 1, lines 6-8). Mione discloses that the defined theme flag provides an indicator related to a defined theme as represented by the

Art Unit: 2173

“STYLE-Type”, the defined theme being defined within the appearance manager, the appearance manager represented as the style sheets disclosed in Mione’s teaching and comprising a set of appearance characteristics including at least parts information and location information for the graphical component as represented by “font”, “margins” with access to the style sheet files (page 2, column 1, lines 8-16). Mione discloses that once such a stylizing tag is present in the web page, having the means to be routed to the external appearance manager, which assigns themed appearance characteristics to the elements of a web page, which are then displayed on the web page based on the defined theme (page 2, column 1, lines 37-46 and column 2, lines 1-4).

Referring to claims 12 and 21, Mione discloses that all graphical components in a web page, which would include controls that are being requested for display, will be rendered and have a set of appearance characteristics additionally comprises state information indicating a state of the control (page 1, column 1, lines 4-6 and page 2, column 1, lines 8-25).

Referring to claim 13, Mione discloses looking for the <STYLE> tag, which would be represented as the theming flag for allowing users to determine if theming information is to be followed (page 2, column 1, lines 10-21). If there is no <STYLE> flag set, then another HTML tag <LINK> is checked to determine if there is in fact theme information to search for (page 2, column 2, lines 1-4). Mione discloses that once such a stylizing tag is present in the web page, having the means to be routed to the external appearance manager, which assigns themed appearance characteristics to the elements of a web page, which are then displayed on the web page (page 2, column 1, lines 37-46 and column 2, lines 1-4). Mione does not disclose specifically that the tags used would be META tags. Cowen discloses using META tags to specify the style or theme of a website (page 14, lines 6-7). It would have been obvious for one

Art Unit: 2173

skilled in the art, at the time of the invention to learn from Cowen and implement the theme tag using META tags. META tags allow you to describe the theme of the web page and means for describing the web page as a whole, as opposed to component-by-component basis (page 1, lines 1-4). META tags are also conveniently placed at the heading of the code, thereby disclosing the theme of the web page without having to parse through the code, which may describe the theme but only appear further down into the code. Hence, one skilled in the art would be motivated to learn from Cowen and implements these theme tags specifically using the META tags.

Referring to claim 14, Mione discloses that once an indication has been found in the web page for a desire for a themed appearance, this information is followed by instructions specifying cascading style sheet properties (page 2, column 1, lines 6-21). Mione discloses that within the specified style sheet properties, there is a means for ignoring certain properties and means for applying certain properties that are applicable to certain elements of the web page being displayed (page 3, column 1, lines 21-24, column 2, lines 13-17 and page 4, column 1, lines 8-12).

Referring to claim 15, Mione discloses that a default appearance is available if a themed look is not indicated in the web page (page 5, column 2, lines 17-20).

Referring to claim 16, Mione discloses determining whether a defined theme tag is present in the web page (page 2, column 1, lines 6-8). Mione discloses that once such a stylizing tag is present in the web page, having the means to be routed to the external appearance manager, which assigns themed appearance characteristics to the elements of a web page, which are then displayed on the web page (page 2, column 1, lines 37-46 and column 2, lines 1-4).). Mione does not disclose specifically that the tags used would be META tags. Cowen discloses

Art Unit: 2173

using META tags to specify the style or theme of a website (page 14, lines 6-7). It would have been obvious for one skilled in the art, at the time of the invention to learn from Cowen and implement the theme tag using META tags. META tags allow you to describe the theme of the web page and means for describing it as a whole, as opposed to component-by-component basis (page 1, lines 1-4). META tags are also conveniently placed at the heading of the code, thereby disclosing the theme of the web page without having to parse through the code, which may describe the theme but only appear further down into the code. Hence, one skilled in the art would be motivated to learn from Cowen and implements these theme tags specifically using the META tags.

Referring to claim 17, Mione discloses having the means to determine whether a theme tag exists and to determine a means for indicating that this themed appearance is not desired for the web page and a means for rendering the request for the control to utilize the standard look that is not themed by the appearance manager. See page 5, column 1, lines 21-31. Mione does not disclose specifically that the tags used would be META tags. Cowen discloses using META tags to specify the style or theme of a website (page 14, lines 6-7). It would have been obvious for one skilled in the art, at the time of the invention to learn from Cowen and implement the theme tag using META tags. META tags allow you to describe the theme of the web page and means for describing it as a whole, as opposed to component-by-component basis (page 1, lines 1-4). META tags are also conveniently placed at the heading of the code, thereby disclosing the theme of the web page without having to parse through the code, which may describe the theme but only appear further down into the code. Hence, one skilled in the art would be motivated to learn from Cowen and implements these theme tags specifically using the META tags.

Referring to claim 20, Mione discloses a method for rendering any components of a web page on the display of a computer, the computer having the means to render a graphical component upon receiving the request for the display of the components belonging to a website (page 1, column 1, lines 26-30). Mione discloses determining whether cascading style sheet properties has been specified (page 2, column 1, lines 6-8). Mione also disclosing if the <STYLE> tag has not been used to indicate theming characteristics, then checking to determine if a theme style is specified in the web page through a <LINK> tag (page 2, column 1, lines 1-4).). Mione discloses that the defined theme flag provides an indicator related to a defined theme as represented by the "STYLE-Type", the defined theme being defined within the appearance manager, the appearance manager represented as the style sheets disclosed in Mione's teaching and comprising a set of appearance characteristics including at least parts information and location information for the graphical component as represented by "font", "margins" with access to the style sheet files (page 2, column 1, lines 8-16). Mione discloses that once such a stylizing tag is present in the web page, having the means to be routed to the external appearance manager, which assigns themed appearance characteristics to the elements of a web page, which are then displayed on the web page, based on a defined theme (page 2, column 1, lines 37-46 and column 2, lines 1-4).

Referring to claim 22, Mione discloses that a default appearance is available if a themed look is not indicated in the web page (page 5, column 2, lines 17-20).

Referring to claim 23, Mione discloses rendering the component using the cascading style sheet properties if they are specified (page 2, column 1, lines 15-21) rather than routing the request to the appearance manager as is done in page 2, column 2, lines 3-4.

Referring to claim 26, Mione discloses a system for rendering graphical components of a web page on the display of a computer, the computer having the means to render a graphical component upon receiving the request for the display of the components belonging to a website (page 1, column 1, lines 26-30). Mione clearly discloses that this rendering is done for websites, which would clearly be hosted by an application, in order for the user to access these websites and display them on the screen. Mione discloses a theme dynamic link library containing basic information about graphical components relevant to a theme, the basic information including at least graphical component location information and graphical part information, wherein the “text/css” information represents information used to access a dynamic library, the library representing the style sheets files (page 2, column 1, lines 8-24). Mione discloses a fusion component for operating between the application and the theme dynamic link library and between the application and operating system dynamic link libraries and for selecting an appropriate dynamic library link for rendering (page 2, column 1, lines 28-41 and column 2, lines 1-22). Mione also discloses a theme manager for interacting with the theme dynamic link library to render the requested graphical component in accordance with a theme defined within the theme manager (page 2, column 2, lines 11-34).

Referring to claim 27, Mione discloses determining whether a defined theme tag is present in the web page (page 2, column 1, lines 6-8). Mione discloses that the defined theme flag provides an indicator related to a defined theme as represented by the “STYLE-Type”, the defined theme being defined within the appearance manager, the appearance manager represented as the style sheets disclosed in Mione’s teaching and comprising a set of appearance characteristics including at least parts information and location information for the graphical

Art Unit: 2173

component as represented by “font”, “margins” with access to the style sheet files (page 2, column 1, lines 8-16). Mione discloses that once such a stylizing tag is present in the web page, having the means to be routed to the external appearance manager, which assigns themed appearance characteristics to the elements of a web page, which are then displayed on the web page based on the defined theme (page 2, column 1, lines 37-46 and column 2, lines 1-4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over “HTML in Style: Using Cascading Style Sheets” (Antonino N. Mione) and “10 Questions About Meta Data” (Amy Cowen).

Referring to claims 1 and 9, Mione discloses a method for rendering any components of a web page on the display of a computer, the computer having the means to render a graphical component upon receiving the request for the display of the components belonging to a website (page 1, column 1, lines 26-30). Mione discloses rendering these components for a web page, wherein the rendering will occur when the web page has been requested and the components must be rendered for displaying (page 1, column 1, lines 1-2 and 30-33). Mione discloses determining whether a defined theme tag is present in the web page (page 2, column 1, lines 6-8). Mione discloses that once such a stylizing tag is present in the web page, having the means to be routed to the external appearance manager, which assigns themed appearance

Art Unit: 2173

characteristics to the elements of a web page, which are then displayed on the web page, according to the defined theme (page 2, column 1, lines 37-46 and column 2, lines 1-4). Mione does not disclose specifically that the tags used would be META tags. Cowen discloses using META tags to specify the style or theme of a website (page 14, lines 6-7). Cowen discloses that the defined theme META tag provides an indicator related to a defined theme as represented by the "Content-Type", the defined theme being defined within the appearance manager, the appearance manager represented as the style sheets disclosed in Cowen's teaching and comprising a set of appearance characteristics including at least parts information and location information for the graphical component as represented by "content", "charset" with access to the style sheet files (page 14, lines 7-10). It would have been obvious for one skilled in the art, at the time of the invention to learn from Cowen and implement the theme tag using META tags. META tags allow you to describe the theme of the web page and means for describing the web page as a whole, as opposed to component-by-component basis (page 1, lines 1-4). META tags are also conveniently placed at the heading of the code, thereby disclosing the theme of the web page without having to parse through the code, which may describe the theme but only appear further down into the code. Hence, one skilled in the art would be motivated to learn from Cowen and implement these theme tags specifically using the META tags.

Referring to claims 2 and 10, Mione discloses that all components in a web page, which would include controls that are being requested for display, will be rendered and the set of appearance characteristics additionally comprises state information indicating a state of the control (page 1, column 1, lines 4-6 and page 2, column 1, lines 8-16).

Referring to claim 3, Mione discloses that if styled or themed information is requested, then there would be an indication which would be described in the code that would indicate that a styled or themed appearance is desired, this desire being shown by the HTML tags (page 2, column 1, lines 6-8).

Referring to claim 4, Mione discloses that once an indication has been found in the web page for a desire for a themed appearance, this information is followed by instructions specifying cascading style sheet properties (page 2, column 1, lines 6-21). Mione discloses that within the specified style sheet properties, there is a means for ignoring certain properties and means for applying certain properties that are applicable to certain elements of the web page being displayed (page 3, column 1, lines 21-24, column 2, lines 13-17 and page 4, column 1, lines 8-12).

Referring to claim 5, Mione discloses that a default appearance is available if a themed look is not indicated in the web page (page 5, column 2, lines 17-20).

Referring to claim 6, Mione discloses allowing the user to indicate through the HTML tags for controlling the request by keeping the standardized look and not allowing the theme manager to make changes to the web page component (page 5, column 1, lines 27-33).

Response to Claim Changes

3. The Examiner acknowledges Applicant's amendments to claims 1-2, 9-12 and 20-21, with the addition of claims 26 and 27. However, all claims are still rejected under 35 U. S. C. 102 and 103 as being previously disclosed in prior arts.

Response to Arguments

Art Unit: 2173

4. Applicant's arguments filed 10/7/03 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that Mione fails to show a defined theme is defined within the appearance managers that renders the graphical content. In Mione, the style sheets are the appearance managers, which control the theme information used for defining the rendering of the graphical contents (page 1, column 1, lines 15-22).

With respect to Applicant's arguments that Mione fails to disclose a theme defined by graphical component parts information and graphical component location information. The examples shown in Mione, disclose a theme defined by graphical component parts information (page 2, column 1, lines 13-19) and the graphical component location information, wherein the location indicates the style sheets that hold the graphical component information (page 2, column 2, lines 1-10).

With respect to Applicant's arguments that Mione fails to disclose determining whether a theme style is specified in the web page wherein the theme style provides an indicator related to a defined theme, the defined theme being defined within the appearance manager and comprising a set of appearance characteristics including at least parts information and location information for the graphical component. The determination of a theming style is done based on the recognition of the placement of tags that determine or direct the web application to a style sheet for defining theme information and for providing an indicator related to a defined theme, the defined theme being defined within the appearance manager, the appearance manager being the style sheet and comprising a set of appearance characteristics including at least parts information

Art Unit: 2173

and location information for the graphical component all included in the style sheets (page 2, column 1, lines 4-24 and column 2, lines 1-15).

With respect to Applicant's arguments that all style and rendering information in Mione must be specified within an HTML document. Mione clearly discloses providing a global means through which an external style sheet can be accessed, wherein this information is not specifically within an HTML document but is external (page 2, column 2, lines 1-9).

With respect to Applicant's arguments that Mione fails to disclose that the graphical component being requested and rendered is a control and the set of appearance characteristics additionally comprises state information indicating a state of the control. Mione discloses that the graphical components can represent various types of controls and the set of appearance characteristics additionally comprising state information indicating a state of the control (page 2, column 1, lines 14-27).

With respect to Applicant's arguments that Mione and Cowen fails to disclose determining whether a defined theme META tag is present in the web page wherein the defined META theme tag provides an indicator related to a defined theme, the defined theme being defined within the appearance manager and comprising a set of appearance characteristics including at least parts information and location information for the graphical component. As stated earlier in the arguments, Mione discloses that the determination of a theming style is done based on the recognition of the placement of tags that determine or direct the web application to a style sheet for defining theme information and for providing an indicator related to a defined theme, the defined theme being defined within the appearance manager, the appearance manager being the style sheet and comprising a set of appearance characteristics including at least parts

Art Unit: 2173

information and location information for the graphical component all included in the style sheets (page 2, column 1 , lines 4-24 and column 2, lines 1-15), wherein this concept is combined with the Cowen teachings which teaches further that an example of the tag discussed in Mione is the META tag.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Art Unit: 2173

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
December 28, 2003


BA HUYNH
PRIMARY EXAMINER